



OKLAHOMA
DEPARTMENT OF
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July 20, 2007

(Via email and U.S. Mail)

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5801 N. Broadway, Suite 101
Oklahoma City, Oklahoma 73118

Trevor Hammons
Assistant Attorney General
4545 North Lincoln Blvd., Suite 260
Oklahoma City, Oklahoma 73105

Re: ODAFF Agency Document Review

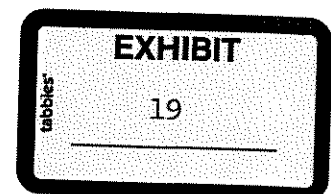
Dear Counselors:

The following are some of the outstanding issues which exist after the defendants' document review at ODAFF on July 18th and 19th:

1. It is my understanding from our conversations that there are additional responsive documents located in ODAFF's branch office in Tahlequah. Please advise the defendants as to the type of documentation located there and when the documentation will be available for our review. Additionally, please identify whether there are any documents located at any other ODAFF branch offices which are responsive.
2. The following documents were not made available to us during the review:
 - a. All documents related to ODAFF's rule making process regarding the issues in this case;
 - b. Pre-1997 and 2000 through 2003 complaints for the IRW;
 - c. Closed dairy files for the IRW; and
 - d. Closed CAFO files for the IRW.

It is my understanding that with the exception of the ODAFF rule making documents that the other documents are maintained off-site. Please provide dates when the defendants will be able to review the documents identified above.

3. The ODAFF inspector's individual files.



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After we have substantively reviewed the documents we obtained from ODAFF, we may find that there are additional documents which are maintained by ODAFF which should have been produced as a part of the State's responses to the defendants various discovery requests. We will address those issues as they arise.

If you have any questions or concerns regarding the contents of this letter, please contact me.

Best regards,

McDANIEL, HIXON, LONGWELL & ACORD, PLLC



Nicole M. Longwell

cc: A. Scott McDaniel
Defense counsel (*via email only*)